



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Richard Marc LIBMAN

Appl. No. 09/592,086

Filed: June 12, 2000

For: APPARATUS FOR  
PREPARING CLIENT  
COMMUNICATIONS  
INVOLVING FINANCIAL  
PRODUCTS AND SERVICES

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Confirmation No. 6844  
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Art Unit: 3622  
:  
Examiner: R. Alvarez  
:  
Atty. Docket: 2176.0010002  
(as amended)

**RECEIVED**

MAY 20 2003

**GROUP 3600**

**SECOND SUPPLEMENTAL DECLARATION UNDER 37 CFR 1.131**

Commissioner of Patents and Trademarks  
Washington, DC 20231

Sir:

The undersigned, Richard Marc Libman, declares and states that,

1. I am the sole inventor of the above-captioned patent application, U.S. Appl. No. 09/592,086, filed June 12, 2000 (hereafter the '086 Application). I am also the sole inventor of U.S. Appl. No. 08/661,004, filed June 10, 1996, now U.S. Patent No. 5,987,434 (hereafter the '434 Patent). I am also the sole inventor of U.S. Appl. No. 08/834,240, filed April 15, 1997, now U.S. Patent No. 6,076,072 (hereafter the '072 Patent).

2. Exhibit 1 is a copy of my notes that document my invention of automatically preparing communications and offers for financial products and services. The flow diagram depicted in Exhibit 1, as well as the accompanying notes, document that embodiments of my invention automatically analyze, select products and services, calculate needs, design products, and/or format communications in order to output and deliver customized communications related to financial products and services. Such an automated system and process operate according to inputs that include rules, product data, customer information, and so forth. Exhibit 1 documents that my invention can use artificial intelligence to accomplish these tasks.
3. Exhibit 2 is a sample communication for offering a financial product (permanent life insurance) to customers and potential customers. The example of Exhibit 2 offers three policy variations to the customer (Policy A, B, and C). In generating this communication, my invention automatically selected and designed products for the customer. Each variation is tailored to the customer as well as the insurance product. For example, the cash value build up and monthly cost of each policy is determined based on information pertinent to the customer and the product. In the example of Exhibit 2, these parameters represent

variable information that is included in the communication (as represented by the multiple computer codes shown in the four boxes and footnotes of Exhibit 2).

4. Computer software to implement my invention was developed and operational prior to December 29, 1995. For example, software to automatically generate communications like that shown in Exhibit 2 was developed and operational prior to December 29, 1995.
5. Also, Exhibits 4 – 6 are flowcharts of one application of my invention that document the operation of software that automatically generates offerings for different types of insurance products. Exhibit 3 is a listing of pseudo-code that generally corresponds to Exhibit 4. Computer software implementing the pseudo-code and flowcharts of Exhibits 3 – 6 (and/or similar pseudo-code / flowcharts) was operational prior to December 29, 1995.
6. Prior to December 29, 1995, the software described above was used to automatically generate communications as described in the '434 Patent and the '086 Application. This is evidenced by Exhibit 7, which summarizes a run of a DMA (direct marketing) computer program. As

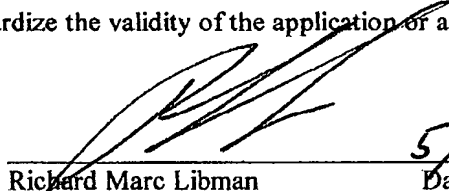
noted in Exhibit 7, during this run, a total of 248 DM (direct mail) letters were generated by the DMA software.

7. Similarly, Exhibit 8 summarizes another run of a DMA (direct marketing) computer program. This run was performed prior to December 29, 1995. Once again, the DMA computer program automatically generated communications as described in the '434 Patent and the '086 Application. As noted in Exhibit 8, during this run, a total of 177 DM (direct mail) letters were generated by the DMA software.
8. The redacted dates of Exhibits 1 – 8 are prior to December 29, 1995.
9. Exhibit 9 is an article “Agents’ Net Home Pages Begin To Generate Leads” dated January 22, 1996. I was interviewed prior to December 29, 1995 for this article. The second page of this article describes one of my direct marketing programs. The article states: “Out of 1,700 [letters] in one of his firm’s direct marketing programs, 19 percent usually send

applications, he said." This direct marketing program took place prior to December 29, 1995. As noted in the article, this direct marketing program involved the generation of 1,700 communications. Prior to December 29, 1995, these communications were automatically generated in the manner described in the '434 Patent and the '086 Application, using the software discussed above (and/or related software).

10. That all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and I further acknowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

By:

  
Richard Marc Libman

5/12/03  
Date